

SENATE AMENDMENTS

2nd Printing

By: Metcalf

H.B. No. 3597

A BILL TO BE ENTITLED

AN ACT

relating to policies, procedures, and measures for school safety in public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 37.108(c-2) and (d), Education Code, are amended to read as follows:

(c-2) A document relating to a school district's or public junior college district's multihazard emergency operations plan is subject to disclosure if the document enables a person to:

(1) verify that the district has established a plan and determine the agencies involved in the development of the plan and the agencies coordinating with the district to respond to an emergency, including the Department of State Health Services, local emergency services agencies, law enforcement agencies, health departments, and fire departments;

(2) verify that the district's plan was reviewed within the last 12 months and determine the specific review dates;

(3) verify that the plan addresses the five [~~four~~] phases of emergency management under Subsection (a);

(4) verify that district employees have been trained to respond to an emergency and determine the types of training, the number of employees trained, and the person conducting the training;

(5) verify that each campus in the district has

1 conducted mandatory emergency drills and exercises in accordance
2 with the plan and determine the frequency of the drills;

3 (6) if the district is a school district, verify that
4 the district has established a plan for responding to a train
5 derailment if required under Subsection (d);

6 (7) verify that the district has completed a safety
7 and security audit under Subsection (b) and determine the date the
8 audit was conducted, the person conducting the audit, and the date
9 the district presented the results of the audit to the district's
10 board of trustees;

11 (8) verify that the district has addressed any
12 recommendations by the district's board of trustees for improvement
13 of the plan and determine the district's progress within the last 12
14 months; and

15 (9) if the district is a school district, verify that
16 the district has established a visitor policy and identify the
17 provisions governing access to a district building or other
18 district property.

19 (d) A school district shall include in its multihazard
20 emergency operations plan a policy for responding to a train
21 derailment near a district school. A school district is only
22 required to adopt the policy described by this subsection if a
23 [~~district~~] school district facility is located within 1,000 yards
24 of a railroad track, as measured from any point on the school's real
25 property boundary line. The school district may use any available
26 community resources in developing the policy described by this
27 subsection.

1 SECTION 2. Section 37.114, Education Code, is amended to
2 read as follows:

3 Sec. 37.114. EMERGENCY EVACUATIONS; MANDATORY SCHOOL
4 DRILLS. The commissioner, in consultation with the Texas School
5 Safety Center and the state fire marshal, shall adopt rules:

6 (1) providing procedures for evacuating and securing
7 school property during an emergency; and

8 (2) designating the number and type of mandatory
9 school drills to be conducted each semester of the school year, not
10 to exceed a total of eight drills~~[, including designating the~~
11 ~~number of:~~

12 [~~(A) evacuation fire exit drills, and~~
13 [~~(B) lockdown, lockout, shelter-in-place, and~~
14 ~~evacuation drills]~~].

15 SECTION 3. Section 37.115(d), Education Code, is amended to
16 read as follows:

17 (d) The superintendent of the district shall ensure, to the
18 greatest extent practicable, that the members appointed to each
19 team have expertise in counseling, behavior management, mental
20 health and substance use, classroom instruction, special
21 education, school administration, school safety and security,
22 emergency management, and law enforcement. A team may serve more
23 than one campus of a school district, provided that each district
24 campus is assigned a team.

25 SECTION 4. Section 37.207(e), Education Code, is amended to
26 read as follows:

27 (e) If three [~~six~~] months after the date of the initial

1 notification required by Subsection (d) the district has still not
2 reported the results of its audit to the center, the center shall
3 notify the agency and the district of the district's requirement to
4 conduct a public hearing under Section 37.1081. This subsection
5 applies only to a school district.

6 SECTION 5. Section 37.2121, Education Code, is amended by
7 amending Subsection (d) and adding Subsection (d-1) to read as
8 follows:

9 (d) Each school district that enters into a memorandum of
10 understanding or mutual aid agreement addressing issues that affect
11 school safety and security shall, at the center's request, provide
12 a copy of the memorandum or agreement [~~following information~~] to
13 the center[+]

14 [~~(1) the name of each entity with which the school~~
15 ~~district has entered into a memorandum of understanding or mutual~~
16 ~~aid agreement,~~

17 [~~(2) the effective date of each memorandum or~~
18 ~~agreement, and~~

19 [~~(3) a summary of each memorandum or agreement~~].

20 (d-1) A copy of a memorandum of understanding or mutual aid
21 agreement provided to the center under Subsection (d) is
22 confidential and not subject to disclosure under Chapter 552,
23 Government Code.

24 SECTION 6. Subchapter F, Chapter 411, Government Code, is
25 amended by adding Section 411.14055 to read as follows:

26 Sec. 411.14055. ACCESS TO CRIMINAL HISTORY RECORD
27 INFORMATION: TEXAS STATE UNIVERSITY. Texas State University is

1 entitled to obtain from the department criminal history record
2 information maintained by the department that relates to a person
3 who is registering with the Texas School Safety Center to provide
4 school safety or security consulting services under Section
5 37.2091, Education Code.

6 SECTION 7. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2021.

ADOPTED

MAY 25 2011

Ratney Spaw
Secretary of the Senate

By: Metcalf/Paxton

H.B. No. 3597

Substitute the following for H.B. No. 3597:

By: Angela Paxton

C.S.H.B. No. 3597

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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 27, 2021

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3597 by Metcalf (Relating to policies, procedures, and measures for school safety in public schools.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

It is assumed that the costs associated with the bill's provisions relating to school safety could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 701 Texas Education Agency

LBB Staff: JMc, SD, SL, THO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 23, 2021

TO: Honorable Larry Taylor, Chair, Senate Committee on Education

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB3597** by Metcalf (relating to policies, procedures, and measures for school safety in public schools.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

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Local Government Impact

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Source Agencies: 405 Department of Public Safety, 701 Texas Education Agency

LBB Staff: JMc, SL, THO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 20, 2021

TO: Honorable Larry Taylor, Chair, Senate Committee on Education

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3597 by Metcalf (Relating to policies, procedures, and measures for school safety in public schools.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

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Local Government Impact

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Source Agencies: 405 Department of Public Safety, 701 Texas Education Agency

LBB Staff: JMc, SL, THO

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 5, 2021

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Public Education

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3597 by Metcalf (Relating to policies, procedures, and measures for school safety in public schools.), **As Introduced**

No significant fiscal implication to the State is anticipated.

It is assumed that the costs associated with the bill's provisions relating to school safety could be absorbed using existing resources.

Local Government Impact

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